

**Declaration of Benjamin J. Feldman in Support of Abbott's  
Opposition of Roche's Renewed Motion for Partial Summary Judgment.**

I, Benjamin J. Feldman, declare as follows:

1. I am employed by Abbott Laboratories as Director of Advanced Development at Abbott Diabetes Care. As such, I am responsible for early stage research for blood glucose measurement devices. I have held this position from 2004.

2. I have been employed by Abbott Laboratories since it acquired my former employer, TheraSense, in 2004. I began working at the predecessor to TheraSense, E. Heller and Company, in November of 1995, and have worked for each successive company since then.

3. I am a named inventor of US Patents Numbers 6,120,676 ("the '676 patent"), 6,143,164 ("the '164 patent"), 6,338,790 ("the '790 patent"), and 6,592,745 ("the '745 patent"). Exhibit 1 is a true and correct copy of the '164 patent. Exhibit 2 is a true and correct copy of the '790 patent. Exhibit 3 is a true and correct copy of the '676 patent.

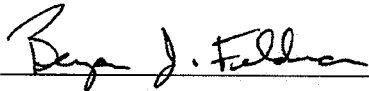
4. I am a named inventor of the published international patent application WO 98/35225 ("the '225 reference").

5. The '745 patent is a continuation of the '790 patent. To my knowledge, they have identical specifications.

6. The '164 patent is a continuation of the '676, which is related to the '225. Exhs. 1 and 3. To my knowledge, all three have identical specifications.

7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed this 13th day of November, 2007.

  
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